

UNITED STATES OF AMERICA, )  
 )  
 Plaintiff, )  
 )  
 vs. ) Case No. 4:09CR00107 JCH  
 )  
 CORY CRAIG, )  
 )  
 Defendant. )

This matter is before the Court on the motion of Defendant for his bond to be reduced. [Doc. # 15]. Although filed by Defendant on April 29, 2009, due to a problem with the electronic filing system, the undersigned did not receive notice of the filing, nor did any party bring the motion to this Court's attention.

The Court notes that since the date of Defendant’s motion, Defendant has entered a plea of guilty before the United States District Judge. Neither party referenced the motion to reduce bond at the plea hearing. The offense to which Defendant entered his plea of guilty is being a felon in possession of a firearm, in violation of 18 U.S.C. § 922. Title 18 U.S.C. § 3143 provides that a person, such as Defendant, who has been found guilty of an offense and who is awaiting sentence, “shall . . . be detained, unless the judicial officer finds by clear and convincing evidence that the person is not likely to flee or pose a danger to the safety of any other person or the community if released under section 3142(b) or (c).” No such finding was requested by the parties nor made by the Court at the time of Defendant’s plea. As such, the Court shall deny Defendant’s motion.

If Defendant still wishes to pursue his motion, notwithstanding his intervening plea of guilty, he should file a new motion with the Court.

Accordingly,

**IT IS HEREBY ORDERED** that Defendant's motion to reduce bond [Doc. #15] is **Denied**.

**IT IS FURTHER ORDERED** that if Defendant still seeks to be released on bond, notwithstanding his intervening plea of guilty, Defendant may file a new motion for release.

  
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AUDREY G. FLEISSIG  
UNITED STATES MAGISTRATE JUDGE

Dated this 1st day of June, 2009.